CUSTOMER NO.: 24498
Attorney Docket No. PA020014
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Remarks/Arguments

Claims 1 - 10 are pending. Claims 1, 4, 7, 10 have been amended to more clearly and distinctly claim the subject matter that applicants regard as their invention. No new matter is believed to be added by the present amendment.

Rejection of claims 1-10 under 35 USC 103(a) as being unpatentable over Lee (US 7,426,537) in view of Myers (US Pub. No. 2002/0113824)

Lee discloses systems and methods for enabling a plurality of client computers to establish and share a common dynamic content experience. Media players allow a user to download audio documents through a network and to record the documents in a storing means. Then, the user can select a recorded document for play back. A user Interface allows the user to select the desired document.

Figures 3 to 8, and 10A, 10B show a screened menu for helping the user to select the desired document. Figures 10A and 10B depict media player windows having an option to add a track to a shared playlist. As shown in FIG. 10A, the media player window 1000 can include a user interface component 1002, such as a pull down menu, via which the user can select an option to add a track by clicking on text associated with the option. Figure 2 and the associated portions of Lee cited in the OA do not explain how a single track among a plurality of the same tracks can be removed. Lee discloses in the column 17 line 6 that "*In a preferred embodiment, each track can have a unique numerical identifier that is generated as a rolling index*". Since each added song has an identifier, each added occurrence of the same song has different identifier. The user interface of Lee appears to teach that each selected track is individually highlighted, and the user can navigate the play list and remove any track, i.e. the first, or the second or the last occurrence of a specific track.

In the page 3 of the communication, the Examiner acknowledges that "Lee is silent as to if several occurrences of the track to be considered exist in the play

list, removing the last occurrence of the track to be considered in the play list displayed in the second area."

The Examiner cites Myers to address the defect of Lee. Applicants submit that Myers fails to do so.

Myers teaches an interactive jukebox including digitally encoded compact discs in a digitally encoded file, and a graphic user interface, wherein the graphic user interface allows a user to view and manipulate the encoded CDs and select songs from the encoded CDs to be played or supplied. The user can see different lists of the CDs on a menu and can select the title of the CD on an alphabetic keyboard as shown by the figure 15. Figure 16 shows a screen including, at the right side, a tree directory showing many CDs and tracks, and at the left a short list of tracks. Figure 18 shows example menus displayed by a PC. Such a menu is that is very different from the menu displayed by a specific DVD reader using a remote control such as disclosed in the present application (Remote control referenced 28 in the figure 1).

According to Myers, the user can individually select each CD, or each track of CD, by introducing its title or by highlighting the title with a cursor and a mouse. Therefore, Myers teaches that at any time and in any menu, the user can select any CD, or track, whatever the order of the selecting of the CD or tracks. With the cursor and the mouse, the user selects the first, the second, ... the last occurrence, and then enters a command to remove the track. By contrast in our claimed invention, it is not necessary or desired to implement an identifier for each occurrence of the same track, because it is always the last occurrence of the track which is removed.

The Examiner alleges that paragraph 103 of Myers discloses the feature missing in Lee. In fact the cited portion of Myers states:

"*A privileged user with owner-level access can click on show duplicates 907 in order to bring up a dialog window that shows all of the duplicate song entries that exist in the CD library. On this dialog window, a user can select one of the two duplicates, then press a "delete" button in order to remove*

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the duplicate song from hard drive 130. The purpose of this action is to allow a user to free up space on hard drive 130 by removing duplicate songs."

First, the window referred by Myers is a dialog window that is designated to show "all of the duplicate song entries", and not a current playlist. The dialog window of Myers and the recited second area of the screen show entirely different elements, and thus, do not correspond to each other.

Second, even if the dialog window of Myers is seen as corresponding to the recited second window, the manner in which the entries are deleted from therein are completely different.

It is clear that in the system of Myers the user selects any of the duplicate song in the list and removes it by pressing a "delete" button.

By contrast, in our invention, the user selects a track in a list of tracks in a first area, the occurrences of this tracks appearing in a second area. Since the user **cannot select individually each occurrence of the selected tracks**, the removal of the selected track in the first list triggers the removal of the last occurrence of this track in the second displayed list, i.e. the play list. This removal is performed without the user selecting a particular track on the second display list.

Applicants submit that at least the feature of determining a track displayed in the first area upon an action introduced by the user, and then, displaying several occurrences of the track to be considered in the second are displaying at least part of the play list, and upon receiving a second signal introduced by a user from the user interface, the last occurrence of this track is removed from the second area, are not disclosed nor suggested by Lee and Myers, taken alone or in combination.

The other independent claims have substantially the same limitation as that discussed above with respect to the claim 1 and are thus believed to be patentable

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over the cited references for the same reasons as discussed with respect to claim 1.
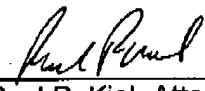
Claims 2, 3, 5, 6, 8, 9 ultimately depend from one of claims 1, 4, 7 or 10, and are believed to be allowable at least by virtue of their dependence on an allowable base claim and because each has further distinguishing features.

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited.

It is believed that there are no additional fees. However if there is an additional fee due, please charge the fee, or credit any overpayment, to Deposit Account No. 07-0832.

Respectfully submitted,
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